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CLAIMS

Please amend the claims as follows:

1. (amended) A method of making a particulate ["pearlescent"] pearlescent pigment for plastic products [which comprise] , said particulate comprising small hard resin particles of different sizes containing pearlescent reflective flakes which are aligned in each particle with their flat surfaces generally parallel, the method comprising: mixing a binder resin with said pearlescent reflective flakes, solidifying the binder resin in such a way to cause alignment of the flakes with their flat surfaces generally parallel, and [comminuting] converting the resultant solidified binder resin to make said small hard particles of at least two different sizes.
3. (amended) The method of making a filed hard surfacing material having [a new bold and] an aesthetically pleasing appearance, comprising adding pearlescent pigment ed particulate [ing additive particles made according to claim 1] comprising small hard resin particles of different sizes containing pearlescent reflective flakes which are aligned in each particle with their flat surfaces generally parallel [to] in a plastic material as a matrix to form a mix, and then forming and solidifying said mix[.] , said particulate being made by mixing a binder resin with said pearlescent reflective flakes, solidifying the binder resin in such a way to cause alignment of the flakes with their flat surfaces generally parallel, and converting the resultant solidified binder resin to make said small hard particles of at least two different sizes.
5. (amended) A method according to claim 4 wherein the plastic material is a hard polyester or acrylic.
6. (amended) A method according to claim 5 wherein the plastic material is a hard polyester or acrylic.

COMMENTS

In the Office Action the Examiner objected to the disclosure as it did not include a reference to U.S. Patent No. 6,040,045. The Specification has been amended to include reference to this patent.

The Examiner has also rejected claims 1-6 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. The Examiner, however, did indicate that claims 1-6 would be allowable if amendments were made to claims 1, 3, 5 and 6 as suggested by the Examiner to overcome the rejection under 35 U.S.C. 112, second paragraph. The Applicant has amended claims 1, 3, 5 and 6 as substantially suggested by the Examiner. The Applicant clarifies for the Examiner that it is the "particulate" which comprises the small hard resin particles and is made by mixing a binder resin with pearlescent flakes, and not the "pigment." Applicant has made this clarification in the amendments to the claims.